IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 457 of 2005

Between:

Chejarla Sankar Raju, S/o. Late Pedda Changal Raju,
R/o. Bommavaram Village, Obulavari Palli Mandal, Cuddpah District.

..... PETITIONER

AND

1 The District Collector, Cuddapah, Cuddapah District.
2 The Mandal Revenue Officer, Obulavari Palli Mandal, Cuddpah

District.
3 The Sarpanch Gram Panchayat, Bommavaram Village, Obulavaripalli

Mandal, Cuddpah district.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction more particularly one in the nature of Mandamus declaring the action of the respondents in not taking any steps against the persons those who are trying to encroach the Gram Nattam land admeasuring 6 cents bounded by east: recently the gravel road lied by the gram panchayat, West: the house of the Chejarla Pedda Ananta Raju which is also belongs to the trust property, North: Main Road, South: land belongs to Sekunala Subramanyam Raju of Bommavaram Village, Obulavari palli mandal cuddapah District as being illegal, bad and also contrary to the provisions of the act, where, in which already one voluntary organization has submitted an application to the respondents for allotment of the said land in its favor for constructions of free general hospital in the interest of

the people of Bommavarm Village, Obulavari Palli Mandal, Cuddapah District and pass such other appropriate order or orders

Counsel for the Petitioner: MR.V.L.SURENDER

Counsel for the Respondents: GP FOR REVENUE

Mr.Srinivas Dammalapati for R3

The Court at the admission stage made the following :

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ORAL ORDER: (per the Hon'ble the Chief Justice)

The writ petition is purported to have been filed by one Chejarla Sankar Raju, who is the member of MPTC, Bommavaram village. His grievance is that a representation was sent on 15.12.2004 to the Mandal Revenue Officer, Obulavaripalli Mandal of Cuddapah district with allegations that 6 cents of Gram Natham land was sought to be encroached upon at the instance of the Sarpanch of the village and of the Mandal Revenue Officer of the mandal.

It is alleged that one Chejerla Subrahmanyam Raju Charitable Trust wants to construct a General Hospital and submitted an application for allotment of the said land in favour of the charitable trust and thus submitted that if the said land is allotted to the chartiable trust, it will be for the benefit of the villagers and therefore requested for allotment of the land to the trust thereby preventing the encroachment on this gram natham land.

Time was allowed to respondents to file an affidavit in reply. The affidavit in reply has not been filed. In such like petition, no other or further direction deserves to be issued except directing the 1st respondent to consider the petitioner's representation annexed to the writ petition as well as the writ petition as a representation submitted by the petitioner and take appropriate decision thereupon within a period of two months from the date of receipt of a copy of the writ order and convey the same to the petitioner

With the above direction, the writ petition is disposed of. No costs.

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DEVINDER GUPTA, CJ

Dt.10.02.2005

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B.SESHASAYANA REDDY,J

To

1 The District Collector, Cuddapah, Cuddapah District.
2 The Mandal Revenue Officer, Obulavari Palli Mandal, Cuddpah

District.
3 The Sarpanch Gram Panchayat, Bommavaram Village, Obulavaripalli

Mandal, Cuddpah district.

4 2 CCs to the Government Pleader for Revenue, High Court of A.P.

Hyderabad (OUT)

5 2 CD copies.